

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES 1 2
2. AMENDMENT/MODIFICATION NO. P00001	3. EFFECTIVE DATE See Item 16C	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)	
6. ISSUED BY U.S. Army Engineer District, Far East Unit #15546-0610 APO AP 96205-0610	CODE	CONTRACT FOR: FY-89 DODM, PN 23189, Medical/Dental Clinic Replacement and FY-89 OMAF, TAE88-0058, Fiber Optic Communications System (FOCSIK), Taegu Air Base, Korea		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) Ssangyong Construction Co., Ltd. #87, Samsung-Dong, Kangnam-Ku, Seoul, Korea		9A. AMENDMENT OF SOLICITATION NO.		
		9B. DATED (SEE ITEM 11)		
		10A. MODIFICATION OF CONTRACT/ORDER NO. X DACA81-89-C-0087		
		10B. DATED (SEE ITEM 13) 89AUG29		
CODE	FACILITY CODE			

11 THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

N/A

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

(V)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Clause 52.249-10, "DEFAULT" (FIX PRICE CONSTRUCTION) of the Contract Clauses and Clause 13, "TIME EXTENSIONS UNUSUALLY SEVERE WEATHER", of the Special Contract Requirement.
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) (C. I. #2)

a. It has been determined that the performance time for the work under Bidding Schedules A and B, and Schedule C, Phase I, was delayed by four (4) calendar days due to unusually severe weather during the months of November 1989, the cause of which was beyond the control and without the fault or negligence of both the contractor and the sub-contractors or suppliers.

The foregoing modification is satisfactory and hereby accepted.

Except as provided herein, all terms and conditions of the document, Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) JOO, JAE WON/DIRECTOR Ssangyong Construction Co.	15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED 24 JAN 1990	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) JOHN SPEEDY, P.E.	16B. UNITED STATES OF AMERICA BY - /s/ John Speedy (Signature of Contracting Officer)	16C. DATE SIGNED 16 JAN 90
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Contract No. DACA81-89-C-0087, C. I. #2
Modification No. P00001

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b. Therefore, the present contract performance dates of 9 December 1990 for the work under Bidding Schedules A and B, and 7 February 1990 for the work under Schedule C Phase I are extended by four (4) calendar days to provide new completion dates of 13 December 1990 and 11 February 1990, respectively. The completion date for the remainder of the work remains unchanged.

c. The contract price remains unchanged as a result of this modification.

d. Substitute the revised page SC-1 of Special Clauses, revision dated 18 December 1989 attached hereto for like-numbered original page.

e. It is further understood and agreed that this adjustment constitutes compensation in full on behalf of the Contractor and its subcontractors and suppliers for all costs and markup directly or indirectly attributable to the change ordered, for all delays related thereto, and for performance of the change within the time frame stated.

PART I
SPECIAL CLAUSES

SC-01 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK (1984 APR)
FAR 52.212-3

The Contractor shall be required to (a) commence work under this contract within ten (10) calendar days after the date the Contractor receives the notice to proceed (NTP), (b) prosecute the work diligently, and (c) complete the entire work ready for use in accordance with the schedule set forth below. The time stated for completion shall include final cleanup of the premises.

<u>Schedule</u>	<u>Description</u>	<u>Number of calendar days after the Contractor receives NTP</u>
A and B	Medical/Dental Clinic Replacement	469 calendar days
C	Fiber Optic Communications System	
	Phase I -- All work except installation of offshore procured HVAC equipment	164 calendar days
	Phase II - Installation of offshore procured HVAC equipment and operational test	45 calendar days

Schedule C: The facility will be occupied during construction and is manned 24 hours each day. All work inside of the existing buildings will require escorts which will be provided by the User. The working hours for the entire project will be 0800 - 1900 hours, seven (7) days a week.

Upon completion of the work under Phase I, there will be AT&T equipment and personnel to perform their equipment installation work. The security of any AT&T equipment will be the responsibility of the User.

SC-02 LIQUIDATED DAMAGES - CONSTRUCTION (1984 APR) FAR 52.212-5

(a) If the Contractor fails to complete the work within the time specified in the contract, or any extension, the Contractor shall pay to the Government as liquidated damages, the sum listed below for each day of the delay.

Schedule A and B	W468,000
Schedule C - Phase I	W123,000
Phase II	W123,000

(b) If the Government terminates the Contractor's right to proceed, the resulting damage will consist of liquidated damages until such reasonable time as may be required for final completion of the work together with any increased costs occasioned the Government in completing the work.

(c) If the Government does not terminate the Contractor's right to proceed, the resulting damage will consist of liquidated damages until the work is completed or accepted.

CEPOF- CD-V

18 December 1989

MEMORANDUM FOR RECORD

SUBJECT: Findings of Fact in Support of Time Extension
Contract No. DACA81-89-C-0087, FY-89 DODM, PN 23189,
Medical/Dental Clinic Replacement and FY-89 OMAF, TAE 88-0058,
Fiber Optic Communications System (FOCSIK), Taegu Air Base, Korea

1. References:

a. Contractor's serial letter No. SSY-F-0087-029, dated
1 December 1989, subject: Request for Time Extension for Unusually
Severe Weather. (Encl. No. 1)

b. Weather and Working Condition Report for the Month of
November 1989, Quality Assurance Reports and Quality Control Reports.
(Encl. No. 2)

c. NAS approved on 11 December 1989. (Encl. No. 3)

2. Necessity for Modification:

The contractor has requested 4 calendar days time extension
resulting from unusually severe weather during the months of November
1989. After careful evaluation of all referenced documentation, it
is determined that a time extension of 4 calendar days for the work
under schedules A and B, and Schedule C Phase I, which was caused
without the fault or negligence of the contractor, sub-contractor or
suppliers, is justifiable.

3. Authority:

Clause 52, 249-¹⁰ "DEFAULT (FIXED - PRICE CONSTRUCTION)" of the
Contract Clauses and Clause 3, "TIME EXTENSIONS FOR UNUSUALLY SEVERE
WEATHER", of the Special Contract Requirements.

4. Availability of Funds: N/A

5. Findings of Fact:

a. The contractor submitted a serial letter, reference 1.a
above, requesting a time extension of 4 calendar days resulting from
unusually severe weather in the month of November 1989.

Attachment 9.3-15

CEPOF-CD-V

18 December 1989

b. A careful review was made on the referenced documents and revealed the following:

(1) Based on the reference 1.a, construction work was suspended on the following dates in November 1989:

4, 5, 6, 8, 12 and 26 6 days

(2) The following activities on the critical path of the NAS was performed:

Admin/Storage Building:

<u>Event No.</u>	<u>Activity</u>	<u>Performance Dates (Days after NTP)</u>	<u>Total Float</u>
<u>Medical Dental Clinic, Schedules A and B</u>			
29 - 75	Excavation for foundation	22 Oct - 11 Nov 89 (52 - 72)	0
75 - 87	Stabilization and Compaction	11 Nov - 21 Nov 89 (72 - 82)	0
87 - 245	Rebar, form and concrete	21 Nov 89 - 29 Jan 90 (82 - 151)	0
<u>FOCSIK, Schedule C Phase I</u>			
85 - 97	Concrete for foundation	30 Oct - 8 Nov 89 (60 - 69)	0
97 - 137	CMU	8 Nov - 20 Nov 89 (69 - 81)	0
137 - 159	Form and concrete	20 Nov - 5 Dec 89 (81 - 96)	0

(3) It was found that activities above were exterior work exposed to the weather, and affected and delayed due to the unusually severe weather (rain), and these delays would impact the overall contract completion time of Bidding Schedules A and B and C Phase I.

Attachment 9.3-15

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c. In view of the foregoing facts, the delay was summarized as follows:

	<u>Actual Adverse Weather Days</u>	<u>Anticipated Adverse Weather Days, SC-33</u>	<u>Days Impacted</u>
November 89	6	2	4

d. On 18 December 1989, Mr. Kim, Jong-cheon, Project Manager, was informed by Mr. Sakong, Yun, Chief, CSB, Southern Resident Office, USAEDFE, that 4 calendar days of time extension with no delay cost for Schedules A and B, and C Phase I, are allowable subject to the approval of the Resident Contracting Officer, and Mr. Kim concurred in the Government's analysis of weather impact upon the contractor.

6. Conclusion:

Based on the facts presented above, the contract completion was delayed by 4 calendar days for Bidding Schedules A and B, and C Phase I due to unusually severe weather in November. Therefore, a time extension of 4 calendar days for the aforesaid Bidding Schedules, should be granted without adjustment in the contract price.

7. Based on the above, a time extension of 4 calendar days is:

Recommended by: /s/ John P. Doe
JOHN P. DOE
Civil Engineer
Southern Resident Office

Concurred in by: /s/ John Speedy
JOHN SPEEDY, P.E.
Administrative Contracting Officer

3 Encls
as

ATTACHMENT 9.3-15

Date: 1 Dec 1989

WEATHER & WORKING CONDITION REPORT For the Month of November, 1989

Contract No./Proj. Name/Location: Medical/Dental Clinic Replacement & Fiber Optic Comm. Sys. Taegu A.C.
Contractor: Ssangyong Const. Co., Ltd. Const. Period: From Sep. 89 thru 7 Dec 1990

NO.	WEATHER	WEATHER CLASS	PRECIPITATION / SNOWFALL IN INCH	TEMP °F		% DAY LOST	REMARKS
				Indoor	Outdoor		
1	Cd	A					
2	Cd	A					
3	Cd	A					
4	R	C				60	Placing conc. could not be performed due to rain
5	R	C				60	Ditto
6	R	B				100	No construction activities have been performed
7	Cd	A					
8	R	B				100	No construction activities have been performed
9	Cr	A					
10	Cr	A					
11	Cd	A					
12	R	C				50	Work has all been stopped from 13:30 hrs.
13	Cr	A					
14	Cd & R	A					
15	Cr	A					
16	Cr	A					
17	Cr	A					
18	Cd	A					
19	Cd	A					
20	Cr	A					
21	Cr	A					
22	Cd	A					
23	Cr	A					
24	Cr	A					
25	Cr	A					
26	Cr	A					
27	R	C				60	All work has stopped from 13:00 hrs due to rain
28	S	A					
29	Cr	A					
30	Cr	A					

6 days of Actual delay (50% or more lost) - 2 days of anticipated delay (per specs) = 4 days

Weather: Cr=Clear Cd=Cloudy R=Rainy S=Snowy
Weather Classification: A=No interruption of any kind from weather conditions. B=Complete stoppage of all work due to weather. C=Partial stoppage of work due to weather (Explain). D=Complete stoppage of work due to previous adverse weather. E=Partial stoppage of work due previous adverse weather (Explain). O=Other (Explain).

A tentative agreement was reached that there were 4 days more adverse weather than could have been anticipated. It is understood and agreed that this agreement is subject to approval of the Contracting Officer and does not constitute or in anyway the time extension is due or forthcoming.

Concur: T.K. Pak
(Name & Title of Contractor's Representative)

Concur: Kang Kil Su
(Name & Title of Government's Representative)